

REMARKS

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed June 21, 2006. Claims 1-19 are pending in the Application. Claims 1-10, 14, 15, and 17-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,412,652 (“Lu”) in view of U.S. Patent No. 6,292,463 B1 (“Burns”). Claims 11-13 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lu in view of Burns, and in further view of U.S. Patent No. 6,343,083 B1 (“Mendelson”).

In response to these rejections, Claims 1, 14, 18, and 19 have been amended to further clarify the subject matter which Applicants regard as the invention, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments, reconsideration of the Application is respectfully requested in view of the following remarks.

Rejection of Claims 1-10, 14, 15, and 17-19 Under 35 U.S.C. §103(a) – Lu and Burns:

Claims 1-10, 14, 15, and 17-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,412,652 (“Lu”) in view of U.S. Patent No. 6,292,463 B1 (“Burns”).

Applicants respectfully submit that Lu in view of Burns does not teach a method for creating a permanent sub-network connection or deallocating resources in a network of connected nodes **where the network is arranged in a mesh structure**. Examiner notes that Lu teaches a subnetwork system where the ring table includes provisioning tables and embedded SONET path ring identification.¹ Further, Examiner states that Lu teaches that the ring table provides the necessary intelligence for the individual network elements and is used by the

¹ Non-Final OA, June 21, 2006, page 2

network elements for decision making processes.² Applicants submit that the network of the present invention includes connected nodes arranged in a mesh structure. A mesh structure differs from a SONET ring in that a node in a mesh structure includes multiple ingress and egress connections and a SONET ring has an east and west connection only.

With regards to Claim 1, Applicants submit that Lu in view of Burns does not define a route including a working path for a permanent sub-network connection a network of nodes arranged in a mesh structure. Further, Lu in view of Burns does not teach provisioning, distributing, and configuring steps in regards to a network arranged in a mesh structure.

Specifically, Applicants have amended Claim 1 to recite:

Claim 1. A method for creating a permanent sub-network connection in a network of connected nodes, the method comprising:

defining a route including a working path for a permanent sub-network connection in the network of nodes from an ingress node to an egress node, ***wherein the network of nodes are arranged in a mesh structure;***

defining a time out period to be associated with the permanent sub-network connection and initiated in response to the detection of a failure in the permanent sub-network connection, the time out period defining a time over which the failure in the permanent sub-network connection is permitted to be corrected prior to a tear down of the permanent sub-network connection;

provisioning the route;

distributing a route description to each node along the route from the ingress node to the egress node; and

configuring each node along the route in accordance with the route description to provide data traffic services from the ingress node to the egress node.

Similarly, an amendment adding the limitation of "***wherein the network of connected nodes are arranged in a mesh structure***" has been made to independent Claims 14, 18, and 19.

² Non-Final OA, June 21, 2006, page 3.

Therefore, Applicants submit that the rejection of Claims 1-10, 14, 15, and 17-19 under 35 U.S.C. 103(a) has now been traversed, and respectfully request that this rejection be withdrawn and that the claims be allowed.

Rejection of Claims 11-13 and 16 Under 35 U.S.C. §103(a) – Lu, Burns, and Mendelson:

Claims 11-13 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lu in view of Burns, and in further view of U.S. Patent No. 6,343,083 B1 (“Mendelson”). Claims 11-13 are dependent claims depending from Claim 1 or an intervening claim. Claim 16 is a dependent claim depending from Claim 14. The above arguments and amendments made to Claims 1 and 14 apply with equal force here.

Therefore, Applicants submit that the rejection of Claims 11-13 and 16 under 35 U.S.C. 103(a) has now been traversed, and respectfully request that this rejection be withdrawn and that the claims be allowed.

CONCLUSION

Applicants would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

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Christopher L. Bernard
Registration No.: 48,234
Attorney for Applicants

DOUGHERTY | CLEMENTS
1901 Roxborough Road, Suite 300
Charlotte, North Carolina 28211 USA
Telephone: 704.366.6642
Facsimile: 704.366.9744
cbernard@worldpatents.com